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* CERTIFIED BY THE SUPREME COURT OF
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PLEASE REPLY TO

ATLANTIC COUNTY OFFICE

June 22, 2022

via ECF

The Honorable Ann Marie Donio, USMJ
United States District Court
District of New Jersey/ Camden Vicinage

Re: Audra Capps v. City of Millville, Police Officer Joseph Dixon, Police Officer Bryan Orndorf, and Millville Chief of Police Jody Farabella
Civil Action Number: 1:19-cv-12002-RMB-AMD

Tanika Joyce v. City of Millville, Jody Farabella, Joseph Dixon
Civil Action Number: 1:20-cv-01118-RMB-AMD

Barry Cottman v. City of Millville, Jody Farabella, Joseph Dixon,
Robert Runkle
Civil Action Number: 1:19-cv-14122-NLH-AMD

Dear Judge Donio:

Our firm represents Defendants Millville, Chief Jody Farabella, Officer Bryan Orndorf (in the Capps case only), and the City of Millville and Chief Farabella in the cases of Joyce and Cottman.

Per the Court's controlling Scheduling Order of April 20, 2022, Plaintiffs' expert reports on damages were timely provided prior to May 30, 2022. Defendants' expert reports on damages are due June 30, 2022. Plaintiffs'

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liability expert reports are due on July 29, 2022. Defendants' liability expert reports are due by August 30, 2022.

On May 27, 2022, Plaintiff Capps served two damage expert reports: one written by a forensic psychiatrist and the other written by a chest wall surgeon and professor at the University of Pennsylvania. Plaintiff's surgeon is a former president of the Chest Wall Injury Society. Plaintiff Joyce and Plaintiff Cottman have not served any expert report(s) on damages.

Regarding Capps, Defendants retained a forensic psychiatrist, Plaintiff attended an IME, and a report is being authored. In regard to Capps' chest injury and surgeries, Defendants have had a difficult time locating the appropriate medical specialist(s). Defendants have retained a medical expert search firm to assist in locating the appropriate medical specialist(s). Defendants have been advised that most physicians specializing in Chest Wall Injury/Trauma are in some way affiliated with the Chest Wall Injury Society, which Plaintiff's expert was at one time the president of; moreover, the pool of medical specialists in this practice is comparatively small and there is a substantial potential for conflict, so, the search is complicated and time-consuming.

Due to the complications noted above, and the delays caused by the summer vacation schedules for physicians, Defendants respectfully request an extension of time for Defendants' damage expert reports to be due when Defendants' liability expert reports are due i.e., on or before August 30, 2022. I called Mr. Shapiro and Mr. Loughry, but I have not yet received a return call. I understand Mr. Reynolds, who represents Defendant Dixon, joins in this request.

Thank you for your time and attention to this matter.

BARKER, GELFAND, JAMES & SARVAS
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By: s/A. Michael Barker
A. Michael Barker, Esquire

AMB

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